



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

May 25, 2004

MEMORANDUM FOR: Rolland A. Schmitten
Director, Office of Habitat Conservation

FROM: James W. Balsiger
Administrator, Alaska Region

SUBJECT: AOC v. Daley Status Report

The following is the Alaska Region's input for the agency's June 2004 status report for the AOC v. Daley lawsuit, per the December 19, 2001 Joint Stipulation and Order.

1. The comment period for the *Draft Environmental Impact Statement for Essential Fish Habitat Identification and Conservation in Alaska* closed on April 15, 2004. NMFS received over 33,000 written public comments. NMFS staff and contractors are reviewing and categorizing the comments.
2. NMFS and the North Pacific Fishery Management Council are continuing to consider the possible designation and management of Habitat Areas of Particular Concern (HAPCs). NMFS and the Council have been evaluating HAPC proposals to develop a range of alternatives for analysis in an Environmental Assessment (EA). During its April 2004 meeting, the Council adopted a problem statement and a draft purpose and need section for the EA, and forwarded 15 of the proposals for further staff review. In some cases more than one proposal focuses on a single habitat area. Therefore, at the June meeting Council staff will suggest hybrids of overlapping proposals to help the Council finalize a suite of alternatives for detailed analysis.
3. NMFS is finalizing arrangements with the Center for Independent Experts (CIE) to conduct a peer review of the agency's evaluation of the effects of fishing on Essential Fish Habitat in Alaska. The evaluation, which is included as Appendix B to the *Draft Environmental Impact Statement for Essential Fish Habitat Identification and Conservation in Alaska*, has two components: a quantitative mathematical model to show the expected long term effects of fishing on habitat, and a qualitative assessment of how those changes affect fish stocks. The CIE panel will review Appendix B and related materials, and will participate in a meeting with the NMFS scientists who developed the model and the analytical approach. That meeting will be held in Seattle in late June 2004, and will be open to the public. The CIE panel is scheduled to provide a final written report in August, and to present the results during the October Council meeting.

cc: F/AKR4 - Jon Kurland
GCAK - John Lepore
NPFMC
Records

